



TOWN COUNCIL
Public Input Session, Public Hearing & Regular Meeting
Cape Charles Civic Center
March 20, 2025
6:00 PM

At approximately 6:00 p.m. Vice Mayor Andy Buchholz, having established a quorum, called to order the Public Input Session, Public Hearing & Regular Meeting of the Cape Charles Town Council. In addition to Vice Mayor Buchholz, in attendance were Councilmen Butta, Grossman and Newman, and Councilwomen Ashworth and Holloway. Mayor Charney was out of town and unable to attend. Staff in attendance were Town Manager John Hozey, Treasurer Marion Scofield, Planning & Zoning Director Katie Nunez, Police Officer Jordan Yee, Assistant to the Town Manager Courtney Neale and Town Clerk Libby Hume. There were 15 members of the public physically in attendance, and 15 viewers on Facebook.

A moment of silence was observed followed by the recitation of the Pledge of Allegiance.

PUBLIC INPUT SESSION FOR 2025 COMMUNITY STRATEGIC PLAN

John Hozey stated that this portion of the meeting would be handled like a Town Hall meeting. There would be no time limits for comments, and the discussion would be interactive.

Sam Jones, resident

Mr. Jones addressed Council speaking on behalf of the Cape Charles Historic District Civic League regarding Appendix B – Town Priorities List. (Please see attached.)

There was some discussion as follows: i) John Hozey addressed Mr. Jones' comments explaining the layout of Appendix B. The items in blue were those in progress, not a higher priority. Council needed to prioritize the new items listed at the bottom of the page. These items would be worked on as time and staff became available. Staff could only execute so much so fast. Just because an item was not listed on Appendix B did not mean that it was not included in the strategic plan. It was just not listed as a priority; ii) Councilman Grossman stated that the 5-Year Plan included sidewalks but there might not be enough funding to complete it all and added that some items were included in the capital improvement plan but not in the strategic plan; iii) John Hozey added that there was \$50K budgeted for sidewalk infill in this year's capital budget. The Strawberry Street sidewalk on the west end of Central Park had just been completed and an invitation for bids was just issued for a sidewalk on Fig Street; iv) Councilman Grossman asked whether the Civic League had looked at possible incentives for full-time residents. Mr. Jones stated that the Civic League had no specific recommendations at this time but they could review information from other localities and bring something back for Council review. Councilman Grossman asked that the Civic League do so and that a possible work session could be scheduled to review the information.

John Hozey stated that he received an email from Mr. Jones regarding the timing of the adoption of the strategic plan with comments being accepted this evening. The reason that the adoption was scheduled for this evening was because the strategic plan was part of the budget process. Once the strategic plan was approved, the proposed budget could be developed and had to be approved in June. There was a strict timeline. We had issues with Council availability in January and the February meeting was cancelled due to the snowstorm. Council was prepared to spend as much time as needed this evening to discuss the comments being received, make any necessary amendments, and adopt the plan.

Jim Metz, resident

Mr. Metz spoke in support of Mr. Jones' comments and elaborated on the future location of the new municipal center. He was in favor of keeping the municipal center in the historic district but suggested that the initial design might not be suitable at the entrance of the historic district since it looked more like a warehouse than a building that belonged in the historic district and asked that the design be reevaluated if the Meatland site was chosen.

There was some discussion as follows: i) John Hozey stated that he felt the building design was very attractive and nothing like a warehouse and offered to send the design to Mr. Metz since it had been a while since the public had seen the rendering. Regarding the potential location of the new municipal center, he was still negotiating with the owners of the Meatland site, but they may or may not reach an agreement; ii) Councilman Newman asked whether the Town had to go through the same process as others for plan approval. Planner/Zoning Administrator Katie Nunez stated that, yes, the Town had to go through the process but the property under consideration did not fall within the historic district overlay. The building had to compliment but not mimic the historic district. Any plans would have to go through the Historic District Review Board, Department of Environmental Quality, VDOT, erosion & sediment control, etc. Mr. Metz asked for examples of complimentary buildings. Katie Nunez noted Eastern Shore Custom Carts, Beach Market, Mini Golf, and the Cape Charles Brewing Company which all fell within the corridor. Mr. Metz urged that the building be as compliant with the historic district as possible.

Mark Usry, resident

Mr. Usry thanked Council for all their time spent in meetings to get to this point. He just wanted to make a couple of comments: i) He stated that the process for making changes to homes in the historic district needed to be changed, adding that the amount of money charged for review was outrageous; ii) He remembered Town Council meetings going back to 1996, and maybe longer than that, where sidewalks were discussed. He realized that town staff worked long hours, but a project manager was needed to get the sidewalks done; iii) He expressed concern over the large percentage drop of survey responses. He asked if it might be because of less controversy; iv) He felt that the Town needed to prioritize the Canonie property, either purchasing it or rezoning it. If the Town decided to purchase the property, the town offices could go there. Whatever the Town decided about the Town Hall, it seemed that the Town could do something to get the owners of Meatland to fix up the property after Custom Carts moved. It needed to be fixed or bulldozed; v) A couple of years ago, the Town allocated \$10K for the Tree Advisory Board (TAB) and he wondered what happened to that \$10K. He described a project in Bloomsburg, PA where the staff worked with volunteers to plant about 20 trees. Staff dug the holes and ordered the trees and volunteers planted them. Homeowners were asked to water them; vi) Surely something could be done regarding affordable housing and promoting long-term rentals; vii) He thanked Council for including the fourth gem – Central Park – be included in the strategic plan.

There was some discussion as follows: i) John Hozey explained a technical issue with Survey Monkey related to requesting personal information. Survey Monkey did not like surveys to request personal information, but our survey required it. We had to add a question, whether the individual approved providing their personal information. A large number stated "No," so their responses were not counted; ii) Councilman Grossman asked John Hozey to talk about the Meatland property. John Hozey stated that he was currently in negotiations to purchase the property, but it was not yet a done deal. Councilman Grossman added that if the Town purchased the property for the new Town Hall, the issues with the condition of the Meatland property would go away; iii) Councilman Grossman stated that the money was still in the Public Works budget. John Hozey added that \$10K was budgeted for TAB, but when they disbanded, there was no one else to take it over. The funding would go away at the end of this fiscal year (June 30, 2025). TAB had the expertise regarding trees, etc. and they had submitted a plan which was approved by the Town Council for funding. The Town was going to implement the plan but lost the volunteers. If anyone else were to step up to continue the work done by TAB, the money could be budgeted again. It would be a great benefit to the town; iv)

Vice Mayor Buchholz stated that it took a long time to get approval for accessory dwelling units (ADUs) which were approved for long-term rentals only. We had 63 ADUs, some being used for long-term rentals and some for the use of the owners' family members. Councilwoman Holloway asked for recommendations from the Civic League about ways to incentivize owners to consider their ADUs for long-term rentals. Council was open to recommendations.

Ed Wells, resident

Mr. Wells stated that at a recent work session, the number of \$3.5M came up for the Meatland property - \$250K per lot for 14 lots. The original municipal central plan was about \$4.5M to \$5M. Adding those two numbers together, the municipal center would cost at least \$8M. The money would be better used to purchase the Canonie property, then the Town would have more land to do more things.

Town Clerk Libby Hume read comments submitted in writing from Claudette Lajoie, Elise Petersen-McMath, Susan Burger, and Julie Jones. (Please see attached.)

There was discussion as follows: i) Councilman Grossman asked John Hozey to address the statement about public information. John Hozey stated that he received a Freedom of Information Act request for the survey information and had to release the Excel spreadsheet. It was released to one person only; ii) Councilman Holloway asked John Hozey to address the concern about residents and non-residents in the survey. John Hozey stated that staff had the ability to pull out the non-resident responses. His report to Council covered both. The demographics showed about 90% of the responses were from those who lived or owned property in Cape Charles; iii) Councilman Newman stated that he got the optics that people had the idea that Council did what they wanted to do. He made a comment earlier to Councilwoman Holloway about hearing public comments, then voting on the same night. There was a large amount of work involved with sitting up here at the dais. He met with people every day – at his house, around town, in restaurants, etc. He received input from a lot of different people to make Cape Charles a better town. He liked information. An exit survey of those moving away would be difficult to do. He knew a lot of dirty laundry of why people were leaving such as loss of a job, or an illness, etc. Some people might not want to share that information. If he received that request from someone, he would probably pass on answering. He pleaded to the people of Cape Charles not to wait for a meeting to get your three minutes in. The Council members did not just fly into Town once a month for a meeting. We lived here, too. Come see a Council member and express your concerns; iv) Councilwoman Holloway added that Council held work sessions to talk things through. The meetings were open to the public and she encouraged attendance. Ed Wells and Sam Jones usually attended to watch and hear the discussions and see how Council got to the decisions that were being made; v) Jim Metz stated that the exchange of information was critical to making a decision and he only remembered two meetings of this kind, the Town Hall on short-term rentals and this meeting. Otherwise, the public usually only had three minutes to speak or come to observe only. John Hozey stated that more than two meetings of this kind had been held. We held one every year for the strategic plan. We also held them when the Town sold the utilities, on short-term rentals, etc. Whenever we had a controversial issue, a Town Hall-type meeting was scheduled; vi) Councilman Butta reiterated that everyone should feel free to contact any Town Council member to discuss an issue. It was Council's job to listen to the people. Jim Metz stated that an advantage to meeting like this was that the other attendees also heard the discussion; vii) Councilwoman Ashworth added that she started a "Chat Over Coffee" about two months ago on Thursdays where there was a regular Council meeting scheduled. She opened it up for other Council members to attend as well. A great example of this was when Mark Usry pointed out that Central Park was added to the list in the strategic plan. That came from one of her meetings. She started her meetings because people were coming out in full force to the Council meetings when short-term rentals were a hot topic, then afterwards, attendance dropped to only one or two attendees; viii) Jim Metz stated that some of the Council meetings were on Facebook but not all. Facebook was another way of reaching people.

PUBLIC HEARING

A. Conditional Use Permit Application 2025-02 – 711 Tazewell Avenue/302 Fig Street

There were no comments to be heard, nor any comments submitted in writing prior to the meeting.

Motion made by Councilman Grossman, seconded by Councilman Butta, to close the public hearing portion of the meeting. The motion was approved by unanimous vote.

The public hearing was closed at 6:51 p.m.

RECOGNITION OF VISITORS / PRESENTATIONS/RECOGNITIONS:

A. Recognition of Employee Significant Anniversary

Vice Mayor Buchholz congratulated John Hozey for celebrating 5 years of service with the Town of Cape Charles on March 5, 2025, and presented him with a certificate of appreciation.

PUBLIC COMMENTS: (3 MINUTES PER SPEAKER)

Dianne Davis, resident

Ms. Davis addressed Council regarding several topics. (Please see attached.)

There were no other comments to be heard, nor any comments received in writing prior to the meeting.

CONSENT AGENDA

A. Approval of Agenda Format

B. Approval of Minutes:

- i. January 9, 2025 Town Council Executive Session
- ii. January 15, 2025 Town Council Work Session
- iii. January 19, 2025 Town Council Regular Meeting
- iv. January 16, 2025 Town Council Work Session
- v. February 6, 2025 Town Council Public Hearing & Special Meeting
- vi. February 6, 2025 Town Council Work Session
- vii. February 27, 2025 Town Council Work Session
- viii. March 6, 2025 Town Council Special Meeting

C. Approval of December 31, 2024 & January 31, 2025 Financial Reports

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to approve the Consent Agenda items as presented. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business for review.

NEW BUSINESS:

A. Adoption of 2025 Community Strategic Plan:

John Hozey stated that work sessions were held, and the proposed changes were shown in red in the Draft Strategic Plan. This was the opportunity to make any additional changes and to address items brought up by citizens during the public input session earlier this evening. First, a motion and second were needed to be put on the table to adopt the plan as presented. From that, motions and seconds to amend would be handled one at a time to make any changes. We would continue until all amendments were made, then vote on an amended main motion.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to adopt the 2025 Town of Cape Charles Community Strategic Plan.

Council proceeded to review the strategic plan page by page.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to add a metric under objective “Encourage Citizen Engagement,” to state “Involve citizens in committee projects/committees where appropriate.” The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilwoman Ashworth, to revise item “c” under the second metric under objective “Maintain/improve walkability,” to include identifying specific strategies and a timeline for sidewalk infill.

There was some discussion and wordsmithing. The revised language was “Identify specific strategies and prioritization for sidewalk infill and provide capital funding as available.”

The motion was approved by unanimous vote.

Motion made by Councilman Butta, seconded by Councilwoman Holloway, to revise metric “iii.” under the objective “Promote the arts, entertainment, and recreation,” to create a public arts commission to develop guidance for public art displays and provide those recommendations to the Town Council for approval.

There was much discussion as follows: i) Councilman Butta suggested that the Cape Charles Arts Commission could be composed of seven appointed members and a member of the Town Council. Representatives from Citizens for Central Park, Arts Enter, Cape Charles Main Street and the Cape Charles Rosenwald School should hold four of the seven appointed positions. Commissioners would serve two-year terms and could be reappointed; ii) John Hozey requested a defeat of this motion stating that requests for public art displays were very seldom and would not justify the amount of staff work that would be created by the addition of another board. Meetings would have to be scheduled, staff reports written, minutes taken, then the recommendation would have to be brought to the Town Council for action. It was a huge amount of unnecessary staff work. Which staff person should be assigned to this board? An ordinance would also have to be adopted to authorize the new board. He recommended having requests be presented directly to the Town Council for a decision since this did not come up very often; iii) Councilman Newman asked why it needed to be a public commission and not a private group. Councilwoman Holloway agreed that a private group, like the former Tree Advisory Board, would be better; iv) Suggested language was discussed and a consensus was reached for “Encourage a public arts league that will develop guidance and promotions for the public arts and provide recommendations to the Town Council when appropriate.”

The motion was approved by unanimous vote.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to add an item under the objective “Evaluate short-term rental (STR) regulations,” stating “Develop metrics to monitor STR regulation effectiveness.” The motion was approved by unanimous vote.

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Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to revise the goal related to Central Park to read “Protect, support and maintain Central Park” and adding two objectives to provide staffing support for community programming efforts and to work with the Citizens for Central Park to add handicapped parking. The motion was approved by unanimous vote.

Motion made by Councilwoman Ashworth, seconded by Councilman Butta, to revise objective “c” under goal “Promote environmental stewardship” adding reference to financial support of the tree canopy. The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to correct the Cape Charles Rosenwald School's name to the Cape Charles Washington-Rosenwald School in the first metric under the objective "Improve business access to workforce resources" under the goal "Retain and expand businesses in a business-friendly environment," as they were in the process of changing their name. The motion was approved by unanimous vote.

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to add the goal "To enhance the visitor experience in Cape Charles" to the Our Objectives section, as it currently was not included, and to add four objectives "a. In collaboration with Cape Charles Main Street (CCMS), identify the needs of visitors to the Cape Charles commercial district," "b. In collaboration with CCMS, continue plans to build and fund a visitors' welcome center and restrooms in the commercial district," "c. Work with CCMS to measure and increase traffic and engagement in social media channels and the Cape Charles Virginia's Cape (CCVC) website," and "d. Work with CCMS, Town staff, and other organizations to enhance the process for submitting events for posting on the CCVC website." The motion was approved by unanimous vote.

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Motion made by Councilwoman Ashworth, seconded by Councilwoman Holloway, to revise objective "c" under the goal "Advance a variety of housing options" changing "workforce housing" to "long-term housing," and adding another objective to "evaluate incentives for the use of accessory dwelling units as long-term housing." The motion was approved by unanimous vote.

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Councilman Grossman stated that under the new items, at the last meeting, Council discussed the issue about surveying former residents to determine why they moved, and language was added as #5. He had put some thought into this and felt that this might work better if Council members contacted those former residents to obtain their input on their primary and secondary reasons for moving. Councilman Grossman distributed the "Analysis of Cape Charles Permanent Residents' Migration" form for review. There was much discussion about this item.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to eliminate item #5 under the New items. The motion was approved by unanimous vote.

Councilman Butta stated that a citizen submitted a comment regarding item #3 – "Pursue development of shared revenue agreement with the County" suggesting that this should not be on the list as it was part of the town manager's job. John Hozey respectfully disagreed, adding that it was not part of running the town, but was extra work which required research. He had brought the issue up, but Charlie Kolakowski had some concerns. This was not part of the town manager's daily job. Everything on Appendix B was extra work for the staff.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to revise item #6 to read "Develop metrics and review short-term rental ordinances/code to determine if changes or updates are needed." The motion was approved by unanimous vote.

Vice Mayor Buchholz asked for a vote on the main motion to adopt the 2025 Cape Charles Community Strategic Plan.

The main motion was approved by unanimous vote.

B. *Conditional Use Permit Application 2025-02 – 711 Tazewell Avenue/302 Fig Street:*

Katie Nunez stated that a Conditional Use Permit (CUP) application was received from Donna and Gregory Kohler to amend a previously approved CUP at 711 Tazewell Avenue/302 Fig Street (aka the Fig Street Inn) to add additional uses as authorized under Cape Charles Zoning Ordinance Section 4.1 (M)(5): i) bicycle rentals; ii) gift shops, located within either the principal residence or buildings identified as part of the Bed & Breakfast (B&B) and not to exceed 20% of the total floor space of the B&B; iii) Electric vehicle charging station(s). A public hearing was held earlier this evening, and no comments were heard. The Planning Commission held their public hearing on March 4, 2025 with discussion following during their regular meeting. The Commissioners voted unanimously to recommend Council approval of CUP application 2025-02 to amend the previously approved CUP to include the following ancillary, accessory, and business uses at the Fig Street Inn: bicycle rental; gift shop; and an EV charging station.

There was some discussion about the EV charging station and bicycle rentals, along with the necessity of amending the current CUP to allow for these other uses. Donna Kohler stated that their current CUP was to operate a B&B which allowed them to provide lodging. They sold coffee mugs and had a small gift shop. Since they discovered that these uses were not included in their current CUP, they wanted to be honest and up front about it so they applied for the amendment. Their intent was to only rent the bicycles and to offer the EV charging station only to their guests as an added amenity. It was cost prohibitive to upgrade the EV charger to make it available to the general public and they did not anticipate ever doing so. It had been a long and expensive process to just validate what they had been doing.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to approve Conditional Use Permit Application 2025-02 to amend the Conditional Use permit at 711 Tazewell Avenue/302 Fig Street as a bed & breakfast to add the following ancillary, accessory and business uses at the Fig Street Inn: bike rental, gift shop and an EV charging station. The motion was approved by unanimous vote.

C. *Lease Amendment for the Hungry Crab, LLC, dba The Shanty:*

John Hozey stated that Jon Dempster, the owner of The Shanty had recently purchased another restaurant in town and wanted to use his investment in The Shanty as collateral for a loan that would be used to renovate the new restaurant. Upon review of the original lease documents, our attorney determined that the ability to use the improvements on the harbor property as collateral was not contemplated in the existing language. To allow Mr. Dempster's loan to close, an amendment to the original lease was required to allow this activity and to incorporate Mortgagee provisions requested by the lender. The amendment for review this evening was drafted by the town's attorney and approved by the lender. Our attorney also advised that a public hearing was not required for this amendment.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve the lease amendment for the Hungry Crab, LLC, dba The Shanty as presented. The motion was approved by unanimous vote.

D. *Real Estate Tax Exemption for Certain Elderly or Disabled Persons:*

John Hozey stated that the Town offered real estate tax exemptions for certain elderly and disabled persons, based on the program offered by Northampton County. The County recently updated their program. This request was to make similar changes to the Town's program.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to adopt Ordinance 20250320 Updating Cape Charles Town Code Chapter 18, Article VIII-Real Estate Tax Exemption from Taxation for Certain Elderly or Handicapped Persons, §§ 18-297 et. seq. as presented. The motion was approved by unanimous vote. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

E. *Resolution of Intent-Zoning Text Amendment – Article III, Section 3.3.E-Residential-3:*

Katie Nunez stated that as a result of conversations with a prospective purchaser of the Seabreeze Apartments property, which was a parcel just under 1.5 acres that was currently zoned Residential-1 (Single Family Residential), and she had been reviewing the zoning ordinance regarding what zoning district would be most appropriate for this parcel based upon the existing, legal, non-conforming uses on this property of multi-family dwellings. The examination caused a closer look at the Lot, Yard, Height, Coverage and Density Requirements for the Residential-3 (Multi-Family Residential) District and led to her recommendation to request the Town Council support a Zoning Text Amendment (ZTA) application to amend Article III, Section 3.3 (E) of the zoning ordinance by removing the 3-acre minimum land requirement for a Multi-Family Project Development. At this time, there were 8 parcels that were zoned R-3, and all but 1 were under 3 acres. If Council was supportive of this ZTA, a Resolution of Intent needed to be adopted to advance the application to the Planning Commission to start the review process.

Motion made by Councilman Grossman, seconded by Councilman Newman, to adopt Resolution of Intent 20250320A Proposed Zoning Text Amendment 2025-01 Application from Town of Cape Charles to Amend Article III, Section 3.3(E). The motion was approved by unanimous vote. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

F. *Resolution of Intent-Zoning Map Amendment – Seabreeze Associates, LP:*

Katie Nunez stated that tax map parcels #83A1-3-B2 and 83A1-3-3, more commonly known as the Seabreeze Apartments, was developed in 1984 with four buildings that housed a total of 28 apartments and one office building/laundry room prior to the Town's zoning ordinance which was first adopted on July 14, 1992. At that time, these two lots were zoned as Residential-1 which did not allow for multi-family dwellings. This did not preclude the apartments on this property from operating, but from a zoning designation, the uses and buildings on this property were considered legal non-conforming uses pursuant to Section 2.5 of the Cape Charles Zoning Ordinance. A legal non-conforming use could continue to exist but there were restrictions on expanding the use or structure on the property. There were imposed time frames when a legal non-existing use could continue on a property when that use ceases to occur. In this case, there were two clocks running on this property: i) the first clock relative to the two buildings on the north end of the property that were deemed unfit for human habitation, and a 12-month clock was placed on those two buildings beginning February 27, 2024 when the Notice of Violation was issued. If not brought back into compliance during that timeframe, the legal non-conforming use as a multi-family dwelling would cease; ii) the second clock was relative to the two buildings to the east, as well as the small office building/laundry room. A 24-month clock began on July 31, 2024, when the last tenants left the buildings. The liquidator trustee for the property owner applied for a six-month extension to address the Notice of Violation for the two buildings on the north end of the property, which was granted, extending this clock to August 27, 2025. The proposed purchaser indicated that they would like to make certain improvements and expansion on this property that could not occur through the Residential-1 zoning, specifically due to the limitations and constraints of the legal non-conforming use designation. After meeting with the representatives of the prospective purchaser, a zoning map amendment (ZMA) application was received to rezone these parcels from Residential-1 to Residential-3. The application was a conditional rezoning application since the applicant included a proffer to restrict the multi-family dwelling units from having rentals of less than 30 days – no short-term rentals. Pursuant to Section 2.7 of the Zoning Ordinance, whenever a ZMA was received, it would first be presented to the Town Council who was required to forward it to the Planning Commission, by adoption of a resolution of intent, for their review process to begin.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to adopt Resolution of Intent 20250320B Zoning Map Amendment 2025-01 Application from

Seabreeze Associates, LP to Rezone Tax Map # 83A1-3-B2 and 83A1-3-3 (1.45 acres) from Residential-1 to Residential-3 Multi-Family District with Proffers. The motion was approved by unanimous vote. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

G. June Town Council Meeting Date Change:

John Hozey stated that the June Town Council Regular Meeting was scheduled for June 19, 2025, which was the federal holiday for Juneteenth. Pursuant to Section 15.2-1416 of the Code of Virginia, regular meeting dates could be changed by the adoption of a resolution and posting of the resolution on the door of the meeting location and newspaper at least seven days prior to the new meeting date. Staff requested Council to select a new meeting date and adoption of Resolution 20250320C.

Council agreed to move the June Regular Meeting to Wednesday, June 18, 2025.

Motion made by Councilwoman Ashworth, seconded by Councilman Grossman, to adopt Resolution 20250320C Changing the Day of the June 2025 Cape Charles Town Council Regular Meeting. The motion was approved by unanimous vote. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

TOWN MANAGER COMMENTS

John Hozey commented as follows:

- i) Adam Buell started on March 11th as the new inspector in the Building and Planning & Zoning Departments.
- ii) The request for proposals for the Fig Street Sidewalk by the New Roots Youth Garden was issued.
- iii) The submittal date for the no-match grant for the planning and development of the beach front master plan was delayed until last Tuesday, March 11th. He worked with the consultants on the grant package. The grant window went live around 2:05 p.m. and he was able to submit the Town's grant packer at 2:18 p.m. The Town requested \$750K for planning and initial design. We will make that point to the citizens at the upcoming Beach Front Master Plan sessions. Our consultants had exceeded the scope of work in the contract and were currently working outside of the contract. A contract amendment had been negotiated and would be brought to Council at the April meeting.
- iv) It was noticed that the Beach Front Master Plan sessions were not included in the Announcements on this evening's agenda. On March 29th, the first Beach Front Master Plan Public Input Session will be held from 11:00 a.m. until 2:00 p.m. in the YMCA Gymnasium. The second session will be held on April 2nd from 5:00 p.m. until 8:00 p.m. in the Civic Center. The April 3rd work session was not needed.

There was much discussion about the upcoming Beach Front Master Plan sessions: i) Councilwoman Ashworth asked when Council would be briefed on the details of the Beach Front Master Plan so they would be prepared for the public input sessions: ii) John Hozey stated that there would be four tables with storyboards of the different sections along with hard copies for the residents to take. There would be two big displays showing the original design from last year and the current rough draft. The purpose of the sessions was to listen to the residents. Ricky Wiatt would be there to help answer some of the questions. Residents would be encouraged to write down and submit their thoughts on what they liked and did not like. After the two in person sessions, everything would be posted online, and comments would be solicited for a couple of weeks afterwards. A work session will be scheduled to review all the input; iii) Councilwoman Holloway thought that talking points were going to be provided to the Council adding that she did not remember everything about the plan; iv) Councilwoman Ashworth asked whether the comment forms would list specific items for the citizens to comment on. John Hozey stated that the forms would just be for the citizens to write their comments. Councilman Ashworth

suggested listing certain items for the citizens to note their like or dislike, adding that it was important to capture the numbers of responses for and against an item. John Hozey stated that there would be some data points for the citizens to check “yes” or “no,” but it would be fairly brief; v) Councilman Butta thought Council members would be at each station to educate the citizens on various aspects of the plan and answer any questions, not just to collect their comments. Councilwoman Holloway added that Council needed to know what to tell the citizens about the changes, otherwise they would not necessarily understand why some things were being done, so the comments would not be as useful; vi) John Hozey stated that there would be storyboards showing the history of the beach and dunes specifically addressing storm protection, the history of Bay Avenue and the four plazas. We could have handouts available as well; vii) Councilwoman Ashworth suggested storyboards focusing on specific areas of Bay Avenue regarding parking, the LOVE sign, etc.; viii) Councilwoman Holloway reiterated the need for talking points adding that she wanted to be prepared, adding that a Frequently Asked Questions handout would be beneficial and suggested that the Council email John Hozey with items to include in the FAQs. Councilman Newman agreed that he felt we were going into the same situation as the last plan presentation. There were no explanations provided on the plan prior to the presentation. Nothing has been explained to Council and the amount of misinformation out there was ridiculous. It would be nice to have time to go through everything to reach a consensus prior to the public sessions, especially for a project of such magnitude; ix) Councilwoman Ashworth noted that the Eastern Shore Post recently did an article on the Beach Front Master Plan and included the old plan as part of the article which would cause more confusion; x) John Hozey would work with Ricky Wiatt and try to get the materials as far in advance as possible. A work session was scheduled for 10:00 a.m. on March 29th for Council to review and discuss the storyboards and materials prior to the start of the first public input session.

- v) Virginia American Water’s new rates would take effect on March 12th, and residents would see the reduction in their April bills. The effective date of the rate change was retroactive to May 2024 so residents would be seeing credits on their accounts. The credits might take up to 90 days to appear.
- vi) John Hozey read the press release that was issued this afternoon. It was the official statement from the Chief about the arrest of an individual in the murder which took place on February 18th. He went on to express his pride in the work done by our police department. Chief Pruitt and his officers put in the extra time investigating to get this perpetrator behind bars. He wanted to let the public know that our police department was working for them. Sometimes things were done behind the scenes and could not be discussed. Their number one goal was the safety of the people of this town. It was a job well done.

MAYOR AND COUNCIL COMMENTS

Councilman Newman commented as follows: i) He hoped that going forward, Council members would take advantage of their five minutes to let each other, and the public know what they were doing. He understood that sometimes everyone was so tired by the end of a meeting that they had no additional comments to make; ii) He hoped everyone had the chance to read his long email about things that could be done around town to spruce things up. He struggled with how to address these issues as there was a lot going on. Some of his items of concern were the tree stumps left behind when VDOT cut down some trees, revival of a tree committee, putting away traffic cones left behind from Festive Fridays, removing stickers off the road signs, all little things that could be done to make the Town a better place. None of these were capital expenditures. When the time was right, he might ask Council to push some things forward to get it done.

Councilwoman Holloway commented as follows: i) She congratulated staff on their recent public outreach. She has seen a big improvement, such as extended hours and the Short-Term Rental sessions. They were good customer-service oriented things that did not go unnoticed; ii) She attended the tourism summit in Chincoteague where there were about 100 attendees from the tourism business. Cape Charles had great representation. These summits were a good way for

everyone to work together regionally and things went well. She was hopeful to bring it back down here next year; iii) The Civil War Trail ribbon cutting was scheduled for April 10th at noon; iv) In response to the comment about holding public hearings and a vote on the same night, it was an unwritten rule not to vote on the same night. She encouraged us to get back into that routine; v) She thanked everyone who came out for Cape Charles Day. She congratulated Courtney Neale for her first Cape Charles Day and a job well done. She thanked everyone who joined the town for Smitty Dize's celebration. \$1,500 was raised for his memorial bench and they only needed about \$300 more. So many people helped with everything such as the harbor and public works staff. It was also so nice to have Smitty's family attend. She was told that this ceremony was the closure that the family needed. John Hozey noted that Councilwoman Holloway organized the ceremony for Smitty Dize.

Councilman Butta commented as follows: i) He realized that he had not had access to his Councilman email for a couple of weeks and he hoped that the issue would be resolved tomorrow; ii) He knew the Planning & Zoning and Building Departments were struggling to get everything done for short-term rental inspections and offered a suggestion that if the short-term rental owner submitted their business license and inspection applications by April 1st, they would be in compliance while the departments worked through their backlogs. John Hozey stated that there were rules in place, and he was unsure if the Town could do as suggested. Katie Nunez interjected that if the property owner already had their business license and submitted their paperwork on time, no penalties would be assessed.

Councilman Grossman stated that the Governor had started to sign and veto bills. He would continue to follow and provide updates on bills related to housing.

Councilwoman Ashworth stated that her "Coffees" were going well and encouraged other Council members to join her on occasion. It was a great opportunity to hear comments and pass along information in a collective setting. Councilmen Grossman and Butta had joined her at previous "Coffees" and she opened it up for any others who might be interested. Her "Coffees" were held monthly on the Thursday mornings of regular Council meetings.

Vice Mayor Buchholz congratulated Courtney Neale, Ralph Bowen and the Public Works crew, Paula Davis and Tyler Brown on great job on Cape Charles Day. Councilwoman Holloway did an outstanding job putting it all together. Looking at the harbor, it was unbelievable how much work had gone into it, and the number of things Smitty Dize brought to this town was mind blowing. He wished more of the family members were able to attend.

There were no additional comments.

Announcements:

- March 29, 2025 - Beachfront Master Plan Public Input Session
- April 2, 2025 - Beachfront Master Plan Public Input Session
- April 17, 2025 - Town Council Regular Meeting
- April 25, 2025 - Blessing of the Fleet

Motion made by Councilwoman Holloway, seconded by Councilman Grossman, to adjourn the Town Council Regular Meeting. The motion was approved by unanimous vote.

The Regular Meeting adjourned at 9:02 p.m.

Vice Mayor Buchholz

Town Clerk

**March 20, 2025 Town Council Regular Meeting
Comments & Information Provided in Writing**

Sam Jones, resident

Mr. Mayor, members of Town Council and Town Manager:

Thank you for the opportunity to provide comment on the draft strategic plan. My name is Sam Jones and my wife Julie, and I live at 538 Monroe Avenue. I am here speaking on behalf of the Cape Charles Historic District Civic League. On Monday night the Civic League devoted its monthly meeting to a review of the draft plan, particularly the priorities and tasks included in Appendix B that we saw as most relevant to the Historic District.

After review, we highlight the following:

1. Under New Items in Appendix B, we support item 2 “Review efficiency of current planning and zoning processes and fees”. This is a matter previously raised by the Civic League and one on which the Town Council has previously provided some direction to the Town Manager. Given this, we recommend that this item be moved up to the “Blue” section of work/projects currently underway. We would hope progress could be made quickly with the Town Manager and staff including specific detail on actions taken in their weekly activity reports to Council.
2. Relative to item 5 “Survey former residents to determine the circumstances of their departure”, we recommend that this item be expanded to include how to encourage and provide incentives for full-time residency. This can be cross referenced to the strategic plan objective “Retain the small-town character of Cape Charles” where more proactive actions can be added.
3. We support item 1 “Develop harbor/RR area conceptual master plan...” given the impact any development will have on views to the harbor and connections from the Historic District. Early citizen input should be solicited given the significant impact any harbor development will have on the town.
4. We recommend the strategic plan include an item to complete the various sidewalks around town. We are told that this project is included in the town’s comprehensive plan and a sidewalk study has been done. Given that, asking town staff to move forward with improvements, and providing funds to support these improvements, would benefit everyone who lives or visits the Historic District.

There was not a consensus regarding the location of the new municipal center. As the Council considers any potential location we request a more public discussion of the rationale for any location decision as well as the total project cost associated with each site before taking final action.

Thank you for the opportunity to speak and your consideration of these comments as you continue to refine the strategic plan prior to approval.

Sam Jones
President, Cape Charles Historic District Civic League

Jim Metz, resident

As a member of the Historic District Civic League, I support the comments that Sam Jones made tonight. I would like to take the opportunity to elaborate on one of the comments he made regarding the location for the new Civic Center.

I, for one, favor keeping the Civic Center in the Historic District. Given that the Meat Land property is at the entrance to the Historic District, it is important that the design of the Civic Center enhances this part of town. What may have suited the site off the Cassette Parkway may not suit the entrance to the Historic District.

I hope that the Strategic Plan includes time and money to reevaluate the design of the Civic Center should the Meat Land site be chosen.

Claudette Lajoie, resident

Mr. Mayor, members of Town Council and Town Manager:

I apologize that I am unable to be present at the meeting due to a work conflict. Please accept these comments on the 2025 Ongoing Town Priorities List.

1. Pertaining to the development of the harbor/railroad property master plan, I agree that this is a priority issue; however, I would encourage Town Council to get public/citizen involvement early in the process to capture input how this large property would enhance the character of our Town. Preferably, in person meetings rather than public surveys, as it appears that surveys as currently composed are not an effective tool for citizen input.
2. I applaud the efforts to review the efficiency of our current planning and zoning processes. As the past has shown, it appears that there is a disconnect between the Town Staff changes and the intent of the Town Council. I would encourage Town Council to require Town Staff to provide specific and detailed monthly updates as to what processes/fees are being updated and how.
3. The pursuit of shared revenue agreements with the County, a lofty goal, should be a lower priority as specifically written and should be a normalized job task of the Town Manager.
4. The necessity for a town-wide parking plan seems redundant as the Town Staff should be evaluating parking as part of all master plan processes (i.e. new municipal center, the harbor/railroad area, Rosenwald School, etc.). I would prefer this task be deleted and replaced with the prioritization and funding of other comprehensive plan items (i.e. historic district sidewalk connectivity and environmental stewardship objectives).
5. Survey of former residents although important data will alone not provide information to support resolution of town challenges. The town survey processes should be evaluated to ascertain trend analyses as a more effective planning tool as well as understand the corrective town actions to improve full time resident retention. Town residents have commented on and volunteered to help support Town Staff in the development of more effective surveys but that support to date has been ignored.
6. STR issues, ordinances, and concerns should be a normalized task for the Town Staff departments as the STR evaluations progress through the year. I would prefer to see this priority rewritten to be more specific as to how will Town Staff departments provide metrics to Town Council on a monthly basis to understand issues, trends, etc. so that revisions to potential ordinances and regulations will be evaluated for change.
7. As a coastal community, this priority should be a normalized task of the Town planning processes and not a specific priority. As part of planning processes, Town Council should require regular staff coastal resiliency planning updates, an outline of issues, with specific milestones as to how this issue will be evaluated and resolved.

Thank you for the opportunity to comment and thank you for your time in support of our town.

Respectfully,
Claudette L. Lajoie, PhD

Elise Petersen-McMath

Mr. Mayor, Members of Town Council, and Town Manager,

Thank you for the opportunity to provide feedback on the draft strategic plan. I plan to attend Thursday's town hall to participate in person, but as a member of the Historic District Civic League, I wanted to submit written comments in advance.

I'd like to highlight two key points:

- Encouraging Full-Time Residency: The current draft plan does not prioritize policies that actively support full-time residency, and we believe this should be added. Policies that encourage year-round residents, particularly in the Historic District, are vital for our community's long-term vitality. The recent community survey highlighted this concern, which is notably your only metric for measuring the success of your goal to maintain small-town character. While efforts to engage volunteers and survey former residents are certainly appreciated, they don't tackle the core issue. We strongly urge the Council to prioritize attracting full-time residents to preserve the town's sense of community and small-town character.

- Public Input and Adoption of the Strategic Plan: Holding the public input session and the vote in the same meeting is unconventional. A more effective approach would be to review the public feedback in a subsequent work session before voting. This would ensure that public input is thoroughly considered and help maintain trust in the process.

Thank you again for the opportunity to provide input. I look forward to continuing the dialogue and hope the Council will consider these points as the process moves forward.

Sincerely,
Elise McMath

Susan Burger, resident

Mr. Mayor, members of Town Council and Town Manager:

I am writing to express my concern about the many residents of the Historic District that are leaving. I suspect it speaks to the growth of STRs and the resulting lack of neighbors and friends who live nearby all year. I am sure there are many reasons. We should learn what those reasons are if we hope to address them and continue the “small town” character that seems to be what attracted many people here, including me and my husband.

I want to acknowledge the efforts that some of the businesses in town make during the winter months to bring people together and that provide a sense of community. For instance, Trivia nights at DeadRise and the Oyster Farm, the special event nights at AJs, lectures and classes at Local-ish, concerts at Lemon Tree and the Theater, and more. It sure is nice to get out of the house and have things to look forward to and see others who are here all year round.

But, as a full time resident who is involved in several ways to recruit volunteers for Town events, I will say that there is a shrinking volunteer pool within the Historic District, and I think it is because there is a shrinking population of people in the Historic District invested in the community.

Therefore, I think it would be very important at this point in time, before it gets worse, for the Town Council to make it a priority of the Strategic Plan to evaluate and address why these folks are leaving.

Thank you.
Susan Burger

Julie Jones, resident

To Mayor Charney, Town Council, and Town Manager Hozey,

Thank you for providing this time for citizen input on the town’s strategic plan. My name is Julie Jones, and my husband, Sam, and I live full time at 538 Monroe Avenue.

I want to express my concerns about the vehicle that led up to the strategic plan: the community survey. I was recently able to see the Excel spreadsheet which documented all of the responses to the community survey, and was shocked to see the information that was available for anyone to see: first and last names of people who responded to the survey, their address, their email address, their age, and their responses to questions like the quality of town services, the small town character of Cape Charles, the future of the railroad property, and the objectives of the town’s comprehensive plan.

While it was troubling to realize that this information, plus any comments made by those who completed the survey, is available for anyone to read, it was also troubling to find that people who neither live in Cape Charles, nor own property in Cape Charles, were allowed to have input into this community survey. I would suggest that if I were answering a survey on things that would cost money, and that money was not going to come out of my personal pocket, my answers might be very different from those of a taxpayer who is going to be the one footing the bill.

Why would the opinion of someone who does not live or pay taxes in Cape Charles be valued as much as those of us who pay dearly for the privilege of living in this town?

Town Council should be concerned that there was such a significant drop in the number of surveys submitted, compared to all previous years that this community survey was done.

Maybe the people who did not respond this year realized that their personal information was going to be available for anyone to see.

Maybe the people who did not respond this year were frustrated that in spite of the survey results in previous years, that it appears that very little is ever done by Town Council to address the needs, interests, and quality of life of those who live in Cape Charles.

I taught for a principal once, who used to tell the staff, “Never forget who makes your paycheck possible.” I would submit that in the case of Town Council, I would amend this to say, “Never forget who made your presence on Town Council possible.”

Going forward, I would hope that if Town Council intends to continue to issue a community survey, that changes would be made, as far as who is eligible to weigh in on the survey; and protecting the privacy of those who make time to complete the survey.

I do hope that you will take time to thoughtfully consider all of the input from your citizens tonight, and that you would not vote to adopt the proposed strategic plan this evening, which would give the strong impression that you came to this meeting tonight, with your minds already made up, which essentially says that it does not matter to you what concerns your citizens may voice.

Sincerely yours,
Julie Jones

Dianne Davis, resident

Good evening Mr. Mayor, members of the Council, town manager, and town clerk

I would just like to make a few comments:

1. The streets in our town run from north to south and the avenues east to west.
2. We do not have a Washington Street but Washington Avenue.
3. Please remember that the town of Cape Charles includes more than Main Street (which is Mason Avenue), and Bay Avenue.
4. From time to time I would suggest that you either walk or ride up and down the other streets and avenues that we have in our town—even at night from time to time. **Not just when there is an election.**

Last but not least.

Question:

Was it a typographical error in the Eastern Shore Post that we paid \$99,000 for the consulting and design for creating the beachfront master plan?

We have been trying to get sidewalks over our entire town where houses have always been since I moved back in 1978, **more than 40 years**, and is always given a reason why it has not happened.

I would like to say to those few people out there who can make a suggestion and get it carried out to help me to get sidewalks—especially in the section that used to be called the Black section of Cape Charles in the northern section.

Thanks for listening and may God bless each of you to do whatever you can for all mankind.



**TOWN COUNCIL
Executive Session
Cape Charles Civic Center
March 20, 2025
Immediately Following the Regular Meeting**

At 9:11 p.m. Vice Mayor Andy Buchholz, having established a quorum, called to order the Executive Session of the Cape Charles Town Council. In addition to Vice Mayor Buchholz, in attendance were Vice Mayor Buchholz, Councilmen Butta, Grossman and Newman, and Councilwomen Ashworth and Holloway. Also, in attendance was Town Manager John Hozey.

Motion made by Councilwoman Ashworth, seconded by Councilman Grossman, and unanimously approved to go into Executive Session in accordance with Section 2.2-3711.A of the Code of Virginia, Paragraph 3 for the purpose of: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Specifically: Update regarding Negotiations of Potential Land Acquisition

Code of Virginia § 2.2-3711-A, Paragraph 1: Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.

Specifically: Town Manager Evaluation

Members of the public were asked to leave the room.

Council went into executive session at 9:13 p.m.

Motion made by Councilwoman Ashworth, seconded by Councilman Grossman, to return to open session. The motion was approved by unanimous vote.

The open portion of the meeting resumed at 10:14 p.m. There were no members of the public waiting to return to the meeting.

Certification, to the best of each member's knowledge, that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body. Roll call vote: Ashworth, yes; Buchholz, yes; Butta, yes; Grossman, yes; Holloway, yes; Newman, yes.

Motion made by Councilman Grossman, seconded by Councilwoman Ashworth, to adjourn the Town Council Executive Session. The motion was approved by unanimous vote.

The Executive Session adjourned at 10:15 p.m.

Vice Mayor Buchholz

Town Clerk